

REMARKS

I. Status of the Application

Claims 1-20 are pending in this application. In the October 28, 2005 Office action, the Examiner rejected claims 1-20 under 35 U.S.C. § 102(b) as allegedly being anticipated by U.S. Patent No. 5,933,004 to Jackson et al. (hereinafter “Jackson”).

In this response, Applicant has amended claims 1 and 12. In particular, claim 1 has been amended to include the limitation that the second current coil constructed substantially identical in shape to the first current coil “such that the second current coil is interchangeable with the first current coil”. Support for this amendment is set forth in the specification, including page 13, lines 2-8. With reference to claim 12, two instances of the limitation, “including a substantially straight portion” have been added to the claim. Support for this amendment may be found in the specification, including page 14, lines 2-7 and Figs. 3, 5 and 5a.

Applicant respectfully requests reconsideration of pending claims 1-20, in view of the foregoing amendments and the following remarks.

II. Claim 1

In the October 28, 2005 Office action, the Examiner rejected claim 1 under 35 U.S.C. § 102(b) as being anticipated by Jackson. As set forth in MPEP § 2131, “A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described in a single prior art reference.” *Verdegall Bros. v. Union Oil Co. Of California*, 814 F. 2d 628 (Fed. Cir. 1987).

Claim 1 has been amended to include the limitation of “the second current coil

constructed substantially identical in shape to the first current coil such that the second current coil is interchangeable with the first current coil”. As set forth in the specification, when the current coils 22 and 24 have an identical design, economies are realized in manufacturing, stocking and distribution. In particular, when the coils have a substantially identical design, and may be used interchangeably, economies are realized in manufacturing.

The Jackson reference does not disclose all the limitations of claim 1. For example, the Jackson reference does not disclose a first current coil and a second current coil wherein “the second current coil constructed substantially identical in shape to the first current coil such that the second current coil is interchangeable with the first current coil” to a first current coil, as set forth in claim 1. Instead, as shown in Fig. 1 of Jackson, Jackson discloses two differently shaped current coils 18a and 18b. In particular, the Jackson reference appears to disclose one current coil 18a that is a mirror image of a second current coil 18b. These two current coils are neither “substantially identical in design” nor are they “interchangeable” as required by claim 1.

For at least the reasons discussed above, Jackson does not disclose all limitations of claim 1 of the present application. Accordingly, it is respectfully submitted that claim 1 is allowable and the examiner’s rejection of claim 1 as anticipated by Jackson under 35 U.S.C. § 102(b) should be withdrawn.

III. Claim 12

In the October 28, 2005 Office action, the Examiner rejected claim 12 under 35 U.S.C. § 102(b) as being anticipated by Jackson. As set forth in MPEP § 2131, “A claim

is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described in a single prior art reference.” *Verdegall Bros. v. Union Oil Co. Of California*, 814 F. 2d 628 (Fed. Cir. 1987).

In the Applicant’s August 19, 2005 Response to Office action, the argument was made that the Jackson reference does not disclose all the limitations of claim 12. In particular, the Applicant stated that the Jackson reference does not disclose a current coil including five sections with the first, third and fifth section oriented in an axial direction, and a second and fourth section oriented in different radial directions, “wherein the second radial direction is at a substantially different angular direction from the axial direction than the first radial direction”. As shown in FIG. 1 of Jackson, Jackson discloses a current coil including five sections. The Applicant noted that three of these sections are oriented in an axial direction, and two of these sections are oriented in a radial direction. However, the Applicant argued that two sections oriented in a radial direction are at substantially that same angular direction from the axial direction. Accordingly, the Applicant concluded that Jackson does not disclose the limitation of claim 12 that states, “wherein the second radial direction is at a substantially different angular direction from the axial direction than the first radial direction”.

In response to the above argument, the Examiner stated the following in the October 28, 2005 Office action:

The applicant argues that the two sections oriented in a radial direction are at substantially the same angular direction form [(sic)] the axial direction (page 9 of remark). Thus, Jackson does not disclose the limitation of claim 12 that states, “wherein the second radial direction is at a substantially different angular direction from the axial direction than the first direction.” The examiner disagree [(sic)]. As indicated by the applicant “the two sections oriented in a radial direction [in Jackson] are at substantially the same angular direction form [(sic)] the axial direction”,

which means they are almost the same or substantially the same but in fact they are different.

October 28, 2005 Office action, page 2, lines 17-20.

Applicant respectfully submits that the above rationale provided by the Examiner for the rejection of claim 12 is not logical and is an improper interpretation of the claim limitations. Specifically, the examiner's logic would result in the meaning of "substantially the same" to include "substantially different". If the two sections at issue in Jackson are "substantially the same" as noted by the examiner above, how can they also be "substantially different" as required by claim 12? The Applicant respectfully requests clarification.

Applicant's Fig. 5A shows an example of a current coil that includes a second section 134 and a fourth section 138. The second section 134 includes a substantially straight portion having a length extending at least in a first radial direction and the fourth section 138 includes a substantially straight portion having a length extending at least in a second radial direction that is substantially different from the first radial direction. As can be seen in Fig. 5A, the radial direction of section 134 is substantially different than the radial direction of section 138.

For at least the reasons discussed above, Jackson does not disclose all limitations of claim 12 of the present application. Accordingly, it is respectfully submitted that claim 12 is allowable and the examiner's rejection of claim 12 as anticipated by Jackson under 35 U.S.C. § 102(b) should be withdrawn.

IV. Claim 18

In the October 28, 2005 Office action, the Examiner rejected claim 18 under 35

U.S.C. § 102(b) as being anticipated by Jackson. As set forth in MPEP § 2131, “A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described in a single prior art reference.” *Verdegall Bros. v. Union Oil Co. Of California*, 814 F. 2d 628 (Fed. Cir. 1987).

Claim 18 includes the limitation of “a measurement contact element, the measurement contact element including a blade contact portion and circuit board contact portion, the circuit board contact portion configured to electrically connect to a circuit board connection, the blade contact portion including a flexible member biased toward and disposed against the exposed conductive portion”. As set forth in claim 18, and as described in further detail on page 14, line 18 to page 16, line 17, the measurement contact element is a separate piece from the coil and the circuit board. As noted in claim 18, the measurement contact element includes (i) a “blade contact portion” disposed against the “exposed conductive portion” of the current coil as well as (ii) a circuit board contact portion configured to electrically connect to a circuit board connection.

The Jackson reference does not disclose all the limitations of claim 18. As a particular example, the Jackson reference does not disclose a “measurement contact element” comprising a “blade contact portion including a flexible member biased toward and disposed against the conductive portion” of the coil. Instead, Jackson only discloses coil blades (reference numerals 22 and 24), and does not disclose a blade contact portion with a flexible member biased toward the blades. Accordingly, the Examiner’s October 28, 2005 Office action only references the coil blades of Jackson (reference numerals 22 and 24) when pointing to a “blade contact portion” of a “measurement contact element.”

Applicant made the foregoing argument in the August 19, 2005 Response to

Office action, however, the examiner failed to address the Applicant's arguments in the recent October 28, 2005 Office action. Should the Examiner maintain this rejection, it is respectfully submitted that the Examiner should specifically show where the Jackson reference discloses a "measurement contact element" comprising a "blade contact portion including a flexible member biased toward and disposed against the conductive portion" of the coil.

As another example of a limitation not disclosed by Jackson, it is respectfully submitted that Jackson does not disclose a "measurement contact element" comprising a "circuit board contact portion configured to electrically connect to a circuit board connection." Accordingly, the Examiner's October 28, 2005 Office action only references the circuit board (reference numeral 34 of Jackson) when pointing to a "circuit board contact portion" of a "measurement contact element."

Applicant made the foregoing argument in the August 19, 2005 Response to Office action, however, the examiner failed to address the Applicant's arguments in the recent October 28, 2005 Office action. Should the Examiner maintain this rejection, the Examiner should specifically show where the Jackson reference discloses a "measurement contact element" comprising a "circuit board contact portion".

For at least the reasons discussed above, Jackson does not disclose all limitations of claim 18 of the present application. Accordingly, it is respectfully submitted that claim 18 is allowable and the examiner's rejection of claim 18 as anticipated by Jackson under 35 U.S.C. § 102(b) should be withdrawn

V. Dependent Claims 2-11, 13-17 and 19-20

Dependent claims 2-11, 13-17 and 19-20 depend from and incorporate all the limitations of one of allowable independent claims 1, 12, or 18. Accordingly, it is respectfully submitted that dependent claims 2-11, 13-17 and 19-20 are also allowable for at least the same reasons the independent claims 1, 12 and 18 are allowable.

VI. Formal Drawings Enclosed

Applicant has submitted replacement sheets including more formal versions of the drawings for each of Figs. 1-13 (11 total sheets). Applicant respectfully requests entry of these formalized drawings in the application.

VII. Conclusion

For all of the foregoing reasons, it is respectfully submitted the applicant has made a patentable contribution to the art. Favorable reconsideration and allowance of this application is, therefore, respectfully requested.

In the event applicant has inadvertently overlooked the need for an extension of time or payment of an additional fee, the applicant conditionally petitions therefore, and authorizes any fee deficiency to be charged to deposit account 13-0014.

Respectfully submitted,



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